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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

IN RE: MIDLAND CREDIT
MANAGEMENT INC. TELEPHONE
CONSUMER PROTECTION ACT
LITIGATION

Case No. 11-md-2286 MMA (MDD)

This document relates to: All cases
alleging calls that took place prior to
September 1, 2014

ORDER

Hon. Mitchell D. Dembin

1 1. The discovery requests attached as Exhibit A to the Joint Motion are
2 deemed served by Johnson and Martin, on behalf of all plaintiffs alleging calls prior
3 to September 1, 2014, as of the date of entry of this Order.

4 2. Defendants will respond to the requests in accordance with the Federal
5 Rules.

6 3. No other discovery shall be served by plaintiffs in the member cases,
7 absent subsequent stipulation, or order of the Court.

8 4. All objections to the discovery requests are expressly reserved until
9 written responses are served. Nothing in the Joint Motion or this Order shall be
10 construed as a limitation on Defendants' right to assert any and all available
11 objections, including, but not limited to, objections on the ground that the requests
12 improperly seek individualized discovery that is outside the scope of the common-
13 issue discovery taking place in this MDL. Defendants' participation in this joint
14 motion and agreement that these requests may be served shall not be construed as
15 an agreement that common motion practice is necessary, appropriate, or feasible in
16 connection with the cases filed by the pre-2014 plaintiffs.


17 5. Defendants' responses shall be served on the plaintiffs in all cases listed
18 on ECF 705-1 (list of member cases alleging pre-September 1, 2014 calls),
19 provided counsel has signed on to the protective order in this case. Written
20 responses and objections may be served via email, and any documents produced
21 may be made available via a secure file sharing site to counsel who have signed
22 onto the protective order. Defendants shall notify Plaintiffs they do not believe have
23 signed the protective order that they must sign the order in order to receive this
24 discovery. Notification shall be sent to such plaintiffs at the contact information
25 listed on the Court's docket for this MDL (11-md-2286). The inclusion of a case on
26 the service list shall not be deemed an admission that the plaintiffs in that case were
27 called by Defendants prior to September 1, 2014 or at any other time.
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1 6. Counsel for Johnson and Martin shall have the exclusive authority to deal
2 with Defendants, on behalf of the pre-2014 plaintiffs, with respect to the discovery
3 requests attached as Exhibit A to the Joint Motion. This includes granting or
4 denying extensions, conferring with Defendants about the requests, narrowing
5 and/or clarifying requests, and filing and/or responding to motions relating to the
6 discovery. The decisions of Johnson and Martin with respect to these matters shall
7 be binding on all pre-2014 plaintiffs as to these requests.

8 7. In light of the uncertainties caused by the current pandemic, the Parties
9 are ordered to cooperate in good faith in the event that extensions of the time to
10 respond are requested.

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12 **IT IS SO ORDERED.**

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14 Dated: April 27, 2020

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16 
17 Hon. Mitchell D. Dembin
18 United States Magistrate Judge
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